

A.S.B.C.E

THE OFFICIAL NEWSLETTER OF THE ALABAMA STATE BOARD OF CHIROPRACTIC EXAMINERS

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Newsletter April 2010

Volume 10. Issue 2

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Presidential Message

Dear colleagues and clinic owners:

The Board of Examiners has seen increasing issues regarding Clinics owned by permit holders over the past several years. The problems we are seeing range from minor issues involving proper permits to cases involving massive fraud in billing and patient procurement. The Board has addressed issues regarding the rules to make sure permit holders were added to all parts of the Rules and Regulations. We have also addressed issues regarding permitting by requesting corporation papers from clinics that are incorporated to make sure they have all the required permits. The Board requires permit holders to obtain law hours annually and we are also proposing a change to the rules to require permit holders to sit for the initial jurisprudence exam prior to permitting. These issues have been brought about due to cases involving permit holders claiming they did not understand the rules applied to them or they are not involved in the day to day operation of the clinic therefore should not be held accountable for improper activities involving the clinic.

The Board has recently received an inquiry from a DC regarding his right to see billings a clinic permit holder has made on his behalf. The doctor stated the clinic owner would not show him the billing or EOB's for the services he had rendered. The doctor not only has a right to see the billing information but should be routinely self auditing the claims for accuracy of the information billed on his behalf. The Board advises if you work for a clinic that is billing on your behalf but will not let you see this information that you file a complaint with the Board so the issue may be investi-

REMINDER

If you have not yet obtained your required continuing education hours for renewal, please review the seminars list on pages 3-5 of this newsletter. The renewal process is much easier if you don't wait until the last minute to obtain these hours. (18 hours required for renewal each year) Also, if you have purchased your Alabama Section 136 Business License for the year 2009-10 you may fax it to the Board Office at 205-755-0081.

Online Seminars

Data Trace Publishing Company offers the following ONLINE courses until December 2010. For information Parker College of Chiropractic offers the following contact Carolyn J. Harding at 1-410-494-4994.

1. "OUM Chiropractor Program Home Study 2010"

DCHours.com offers the following ON-LINE courses until December 2010. For information contact Guy Annunziata at 1-800-511-0269.

- 1. "Alabama Board Rules & Regulations"
- 2. "The Neurology of Pain"
- 3. "Basic Care Management"
- 4. "Understanding Whiplash Part 1"
- 5. "Understanding Whiplash Part 2"

DCOnline offers the following ONLINE courses until December 2010. For information contact William Moreau, D.C. at 1-712-260-2507.

- 1. "Bloodborne Pathogens"
- 2. "Case Studies Cervical Spine 1"
- 3. "Chiropractic & Sort Tissue Care"
- 4. "Concepts of a Team Chiropractor"
- 5. "Ethical Issues in Chiropractic"
- 6. "Immunization: Making Informed Choices"
- 7. "Nutritional Issues in Chiropractic"
- 8. "Patient Care in Radiology"
- "Professional Boundaries & Chiropractic" 9.
- 10. "Risk Management 3"
- 11. "Role of the Chiropractor in the Legal Process"
- 12. "Special Population: The Female Patient"
- 13. "Segmental Drop Adjusting"
- 14. "Spine in Sport"

Palmer College of Chiropractic offers the following ONLINE courses until December 2010. For information contact Sharon Whitney at 1-563-884-5715.

- 1. "Activator Methods-Online Track 1"
- 2. "Basic Concepts of Biomechanics"
- 3. "Case Study Series I"
- 4. "Case Study Series II"
- 5. "Case Study Series III"
- 6. "Chiropractic Evaluation"
- 7. "Documentation"
- "Electrodiagnostics Overview"
- 9. "Evidence-Informed Practice/Case Writing"
- 10. "Orthopedic Assessment & Interpretation"
- 11. "Foundation Imaging Concepts"
- 12. "Healthy Aging"
- 13. "Laboratory Analysis"
- 14. "Neurological Assessment & Interpretation"
- 15. "Orthopedic Assessment & Interpretation"
- 16. "Pettibon Online-Clinic Protocols & Home Care"
- 17. "Pettibon Online-Fundamentals"
- 18. "Pettibon Online-X-Ray Procedures"
- 19. "Physiological Therapeutics"
- 20."Professional Boundaries/Ethics"

21. "Technique Overview/Theories"

ONLINE courses until December 2010: For information contact Tereasa Wright at 1-800-266-4723.

- 1."Anatomy Online Module 2 Forearm & Hand 44
- 2."Comprehensive Guide to Treating the Female Pa-
- 3."Nutritional Considerations for Patients With Osteoporosis"
- 4. "Online: Introduction to MRI"
- 5."Online-Risk Management in Chiropractic"
- 6."Online: Scoliosis Program"
- 7."Online: Topics in Nutrition with Dr. James Gerber"
- 8. "Online: X-ray Quality & Safety"
- 9."Special Imaging for the Chiropractic Patient"
- 10."SI Joint Pain-Diagnosis and Management"

Texas Chiropractic College offers the following ONLINE courses until December 2010. For information contact Bitsy Hatch, at 1-281-998-6028.

- 1."Adjunctive Physiotherapy Procedures"
- 2. "Ancillary Diagnostic Testing & Procedures"
- 3. "Chiropractic Guide to Symptoms & Disease"
- 4. "Chiropractic Sports Medicine"
- 5. "Chiropractic Treatment and Golf Injuries"
- 6. "Chiropractic Treatment Auto Accident Injuries"
- 7. "Ethics & Chiropractic Practice"
- 8. "Exercise Strength and Conditioning"
- 9. "Fundamentals of Clinical Nutrition"
- 10."Geriatric Health Care"
- 11."Orthopedic & Neurological Education"
- 12."Pain Management"
- 13. "Professional Boundaries & Chiropractic Practice"
- 14."Protocols for a Flexibility Class That is Profitable & Time Efficient"
- 15. "Risk Management and Documentation Essentials"
- 16. "Sports Injuries"
- 17. "Weight Loss Management: Fitness & Nutrition"

University of Bridgeport College of Chiropractic offers the following ONLINE courses until February 2011: For information contact Paul Powers at 1860-463-9003.

- 1. "Neurology"
- 2. "Physical Diagnosis"
- 3. "Physical Therapy"
- "Soft Tissue Injuries"

Western States Chiropractic College offers the following ONLINE courses until December 2010: For information contact Marsha Peoples Jack at 1-503-251-5719.

- "Clinical Practice Update Series"
- 2. "Ethics & Boundary Issues for Chiropractors"
- 3. "Radiology of the Spine & Extremities"
- 4. "Whiplash Injuries Series"

Presidential Message continued

gated. The doctor may actually be an unwilling participant in improper or fraudulent billing and will be held accountable if not reported.

The end of the year has once again caught a few licensee's who have failed to renew their license on time. The license lapses December 31st and beginning January 1st the licensee is practicing without a license. This is a situation that no one wishes to find themselves in and I strongly encourage everyone to get your continuing education early and renew as soon as

you can.

As of the writing of this newsletter our National leaders are still working on some form of National Healthcare. I like many of you have not seen what the plan will cover or most likely not cover but I again encourage you to make your position known to your Congressman.

Brian Wells, D.C. President

If you have not done so, please mail, fax, or email a copy of your bachelor's degree (if you have one) or any other degree(s) you have obtained other than your Doctor of Chiropractic to the Board office. We are in the process of updating our files.

Disciplinary Actions

Vance N. Estes, DC (Birmingham, AL) License #1581 Consent Order dated March 29, 2010-assessing fines of \$750.00-guilty of one (1) count of violating §34-24-166(b)(3).

Alicia Farrell, DC (Gulf Shores, AL) License #2313 Consent Order dated February 26, 2009-assessing fines of \$2,000.00 & Costs of \$350– guilty of one (1) count of violating \$34-24-166(b)(14).

Upcoming Seminars

Alabama State Chiropractic Association presents the following course: For information contact Susie Ellison at 334-262-2228.

"2010 ASCA Annual Convention" 20 hours June 11-13 in Birmingham, AL. *Includes 2 hours in Alabama Law*

Bodyzone, LLC presents the following course: For information contact Renee North at 770-992-0700.

"Clinical Posture Practice" 12 hours May 15-16 and June 12-13 in Roswell, GA.

Florida Chiropractic Association presents the following course: For information contact Jennifer L. Haag at 407-290-5883.

"FCA Spring Convention & Exposition 2010" 20 hours May 6-9 in Jacksonville, FL.

<u>Huntsville Hospital</u> presents the following course: For information contact Beth Wester at 256-265-8500.

"County Medical Outreach-Chronic Pain" 1.5 hours April 13 in Huntsville, AL.

<u>Life Chiropractic College West</u> presents the following courses: For information contact Kendra L. Holloway, D.C. at 510-780-4508.

"Contact Reflex Analysis: Position Yourself For Success" 12 hours April 10-11 in Los Angeles, CA, May 1-2 in Seattle, WA, May 15-16 in Chicago, IL, and May 22-23 in Camp Hill, PA.

"Validating Chiropractic 2010" 12 hours April 17-18, in Moon Township, PA, April 24-25 in Las Vegas, NV, May 1-2 in Harrisburg, PA, May 15-16 in Los Angeles, CA and June 26-27 in Broomfield, CO.

<u>Life University</u> presents the following courses: For information contact Amber Lewis at 770-426-2753.

"Korean Specified Technique" 16 hours April 10-11 in Denver, CO May 22-23 in Los Angeles, CA and June 5-6 in Phoenix, AZ.

"Pelvic & Cervical Analysis for Confident Adjusting" 13 hours April 10-11 in Marietta, GA.

"Hope for Autism Training Conference" 23 hours April 23-25 in Atlanta, GA.

"Taking Chiropractic to a new Dimension Through Neurology, Nutrition, Cold Lasers" 12 hours June 5 –6 in Marietta, GA.

Logan College of Chiropractic presents the following courses: For information contact Ralph Barrale, D.C. at 800-842-3234.

"2010 Logan College Alumni Association Homecoming" 28 hours June 9-13 in Chesterfield, MO.

"Loomis Institute of Enzyme Nutrition Seminar #2" 20 hours April 16-18 in Kansas City, MO.

"SORSI 2010 Mid-Year Conference" 28 hours April 23-25 in Chicago, IL.

"Pro Adjuster Manipulative Technique-Intermediate Training" 6 hours June 18-19 in McMurray, PA.

<u>Moore & Wolfe</u> presents the following course: For information contact Mark Wolfe at 251-433-7766.

"Medical & Legal Issues for Auto Crash Patients" 4 hours May 20 in Mobile, AL.

National University of Health Sciences presents the following course: For information contact Jonathan R. Soltys, D.C. at 630-889-6622.

"Cox Technic Seminar Part 1" 12 hours April 17-18 in Atlanta, GA.

New York Chiropractic College presents the following courses: For information contact Cynthia Logatto at 516-796-5923 ext. 113

"Active Release Technique-Lower Extremity" April 8-11 in Schaumburg, IL May 13-16 in Dallas, TX.

"Active Release Technique-Spine 21 hours May 20-23 in Las Vegas, NV.

"Active Release Technique-Upper Extremity" June 24-27 in San Jose, CA.

"Got Documentation" 12 hours April 10-11 in Des Moines, IA, April 24-25 in Cleveland, OH, May 1-2 in Cincinnati, OH, May 15-16 in Salt Lake City, UT, May 22-23 in Milwaukee, WI, June 5-6 in Philadelphia, PA, June 12-13 in Pittsburgh, PA and June 26-27 in Pittsburgh, PA.

<u>Palmer College of Chiropractic</u> presents the following courses: For information contact Sharon Whitney at 563-884-5715.

"Activator Methods 2" 12 hours April 10-11 in Chicago, IL, April 17-18 in San Jose, CA. April 24-25 in Tyson's Corner, VA, May 1-2 in Atlanta, GA, May 22-23 in Minneapolis, MN, and June 5-6 in Newark, NJ.

"ICA Pediatrics Diplomate 7: Problems of the Infant/ Toddler" 12 hours April 10-11 in Chicago, IL.

"LRS-IA: Principles of a Rehab Specialist" 12 hours April 17-18 in Davenport, IA.

"ICA Pediatrics Diplomate 8: School-Age Child and Adolescent" 12 hours May 8-9 in Chicago, IL.

"LRS-IA: TMJ: Professional Boundaries & Iowa Rules" 12 hours May 22-23 in Davenport, IA.

"Pettibon Pediatrics" 12 hours May 1-2 in Chicago, IL.

"Pettibon Rehab that Works" 12 hours April 24-25 in Atlanta, GA, June 26-27 in Los Angeles, CA.

"Pettibon Technique Team Training" 28 hours April 15-18 Gig Harbour, WA

Palmer Institute for Professional Advancement presents the following courses: For information contact Sharon Whitney at 563-884-5715.

"Pettibon Hands-On Practicum" 12 hours April 10-11 in Las Vegas, NV, and May 5-6 in Roseville, MI.

"Gonstead Technique with Extremities" 15 hours April 23 -24 in Atlanta, GA, June 18-19 in Las Vegas, NV.

"Gonstead Technique Advanced with Extremities" 15 hours April 23-24 in Atlanta, GA, June 18-19 in Las Vegas, NV.

"NUCCA Conference Spring 2010 Level 1, 2 & 3" April 22 -24 in Las Vegas, NV.

Seminars Continued

Parker College of Chiropractic presents the following courses: For information contact Teresa Wright at 800-266-4723.

"Parker Seminar Montreal 2010" 18 hours May 20-22 in Montreal, Canada.

"Scoliosis 2010 Series Part 1-3" 33 hours April 24-25 in Dallas, TX, June 5-6 in Dallas, TX.

Sherman College presents the following courses: For information contact Missy Sandor at 864-578-8770.

"Advanced Orthospinology" 19 hours May 14-16 in Atlanta, GA.

"Upper Cervical Evolution 2010" 12 hours April 8-10 in Charlotte, NC.

Southern California University of Health Science presents the following courses: For information contact Yvonne Rabago at 562-902-3379.

"Chronic Manifestations of Cervical Spine Injury" 21 hours April 23-25 in Lake Tahoe, NV.

"2010 Chiropractic sports Sciences Symposium" 27 hours April 29 and May 2 in Chicago, IL.

"Whiplash Injury Biomechanics & Traumatology 2010 Mod 1-4" 12 hours May 1-2 in Boston, MA, May 15-16 in San Diego, CA, May 22-23 in Rosemont, IL, June 5-6 in Boston, MA, June 12-13 in San Diego, CA & June 26-27 in Atlanta, GA.

"Natural Therapies for Autism: 15 hours June 26-27 in St. Louis, MO.

Texas Chiropractic College presents the following course: For information contact Carla Pronio at 281-998-6061.

"Science Base Nutrition for Today" 16.5 hours April 23-25 in Chicago, IL.

Texas Chiropractic College presents the following courses: For information contact Bitsy Hatch at 281-998-6028.

"The Vitamin Complexes" 12 hours May 1-2 in Atlanta,

"Lumbar Differential Assessment" 12 hours April 29 in Jackson, MS.

Turning Point Logistic Systems presents the following courses: For information contact Angel Tribuno, DC at 706-882-2092.

"CBP Structural Rehab of the Cervical Spine" 12 hours April 24-25 in Kauai, HI.

"CBP Lumbar Rehab" 12 hours May 15-16 in Kansas City, MO.

"CBP Instrument Adjusting" 12 hours May 29-30 in Newark, NJ.

"CBP Case Management" 12 hours June 5-6 in Las Vegas, NV.

"Total Solution" 36.5 hours June 9-13 in Florissant, CO.

University of Bridgeport College of Chiropractic presents the following courses: For information contact Anne Nilson at 203-576-4880.

"Applying Lab Evaluations" 11.5 hours June 12-13 in Atlanta, GA.

"Breakthrough Coaching" 7 hours April 22-24 in Dallas, TX.

"Functional Blood Chemistry" 16 hours May 1-2 in Orlando, FL.

"Keys to Healthy Aging" 8 hours May 1 in Fairfax, VA, May 8 in Itasca, IL, May 15 in Grapevine, TX.

"Pain Elimination Intensive Training" 15 hours June 12-13 in Denver, CO.

OUR MISSION

To regulate and license doctors of chiropractic in order to protect the people of Alabama.

OUR VISION

To ensure the people of Alabama will receive professional, ethical and quality care in utilizing chiropractic services to maximize health benefits.

OUR VALUES

Excellence, integrity, communication and ethics.

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Insufficient Funds eCheck Is Considered Non Renewal

The Board offers several payments options for license renewal. You may pay with several types of credit cards, a debit card or eCheck. However, if your payment rejects the papers cannot be processed and your renewal is not completed.

If you plan to use eCheck for your license renewal you <u>must</u> have the funds in your account before you enter the information or the transaction will reject. In this electronic age, the money comes out of your account *immediately*. You <u>do not</u> have time to go the bank after you enter the information!

New Reinstatement Process

Applying to reinstate your Alabama license is now easier than ever. We have added the Reinstatement Application to our website. You may now go to our homepage, www.chiro.alabama.gov, and click Online Services, then click License Reinstatement and follow the on screen directions. Once this process is completed you will be contacted by mail with additional information. If you know a former Alabama licensee who may be interested in reinstating their license, please share this information with

Congratulations to those licensed since January 2010



JTEVEN E. JOHNSON RICHARD JCOTT NOBLES REBECCA D. WELLS TERRY WILLIAMS, JR. GREGORY DYKES OF GADJDEN, ALABAMA
OF TONEY, ALABAMA
OF HOOVER, ALABAMA
OF HOOVER, ALABAMA
OF COTTONDALE, ALABAMA

FYI

Any Alabama licensee whose primary practice is outside of Alabama but performs services that constitute the practice of chiropractic in Alabama is expected to obtain two Alabama Law hours for license renewal.

A.S.B.C.E

This following rule was adopted and became effective March 4, 2010. Please place a copy in your Office Master Copy of the Rules and Regulations to avoid future violations of this rule.

RULE 190-X-5-.09 Chiropractic Records Required; Release of Records.

- (1) The Board finds and declares that the maintenance of an adequate record in the treatment of a patient is an essential component of the standard of care. Chiropractors should maintain legible well documented records reflecting the history, findings, diagnosis and course of treatment in the care of a patient. Patient records should be maintained by the treating chiropractor. Any licensee who fails to keep for a minimum of five (5) years all written chiropractic records which justify the particular course of treatment of the patient engages in immoral, and / or unprofessional conduct as defined in Rule 190-X-5-.05.
- (2) The Board finds and declares that, while physical chiropractic records may rightfully be considered the property of the licensee or the chiropractic clinic facility where the licensee may be employed, the chiropractic patient is just as rightfully entitled to the information contained in any chiropractic records related to his or her care for any legitimate purposes, which such legitimate purposes certainly includes the obtaining of second chiropractic or medical opinions.
 - Upon request of a patient or authorized agent of a patient, licensees and clinic permit holders are required to, at a minimum, turn over to a patient or his or her authorized agent legible and accurate copies of any pertinent chiropractic records of the patient when requested to do so by the patient or his or her authorized agent for a legitimate purpose which is stated in writing and signed by the patient. The reasonable costs of reproducing copies of written or typed documents, or reports shall not be more than one dollar (\$1) for each page of the first 25 pages, not more than 50 cents (\$.50) for each page in excess of 25 pages, and a search fee of five dollars (\$5). If the records are mailed to the person making the request, reasonable costs shall include the actual costs of mailing. A person may also charge the actual cost of reproducing X-rays and other special chiropractic records.
 - The release of chiropractic records hereunder may not be made contingent upon payment of any other fee or charge owed by the patient. Failure to provide records to patient upon request in accordance with this rule shall constitute immoral or unprofessional conduct as defined in Rule 190-X-5-.05.

The fees provision of this rule shall not apply to records subpoenaed by the State Board of Chiropractic Examiners.

- (3) Request for records from another healthcare practitioner or the Board of Chiropractic Examiners must be released within 10 working / business days.
- (4) Upon receipt of a properly signed and executed release from the patient, the licensee or clinic permit holder, at his discretion, may release the original or a copy of x-ray film and a copy of the patient records, etc. to the patient or their designee.
- (5) If the Board receives a complaint against a licensee or clinic permit holder where the licensee or clinic will not release the records to a patient at the patient's request, a letter from the Board will be sent via Certified Mail to the licensee / permit holder to release the records to the patient within 10 days of receipt of the certified letter, and submit proof that the records have been mailed to the patient (via Certified Mail) to the Board within 10 days as well. The licensee / permit holder must either submit to the Board proof of the mailing of the records or respond to the Board as to why the records cannot / will not be mailed within 10 days of receipt of the certified letter from the Board.
- (6) If the Board has not received proof that the records have been released to the patient, or has not received a response from the licensee / permit holder within 15 days of the date the request was mailed from the Board's office, the chiropractor will be subject to discipline for unprofessional conduct.
- (7) Transfer or Disposal of Records. When a licensee retires, terminates employment or otherwise leaves a chiropractic practice, the licensee is responsible for ensuring that active patients receive reasonable notification and are given the opportunity to arrange for the transfer of their patient records. A licensee or the chiropractic clinic which employs the licensee should not withhold information from a departing chiropractor which is necessary for the notification of patients. A licensee or the estate of a deceased chiropractor transferring patient records in connection with the sale of a practice should notify the active patients that the records are being transferred and should provide the patient with information sufficient to secure the transfer of the patient record.

Effective: 10/1/82, amended 3/22/84, 7/6/93, (1)(3) amended 6/98, (2)(a)(b)(c) amended 8/99, amended 10/2006, amended (3)(4)(5)(6) 1/07, amended 1/2010 (2)(c)(3)

Authority: 34-24-144; 34-24-165; 34-24-166(3)

We're on the Web! www.chiro.alabama.gov



April 9&10, 2010

The Board will meet in

Clanton, AL:

2010 State Holidays

The board office will be closed on the following:

Confederate Memorial Day ...April 28

National Memorial Day May 26

Jefferson Davis' Birthday ...June 2

Board Members

R. Brian Wells, DC, President, Member District 3
Jerry L. Schreiner, DC, Vice – President, Member District 7
Kenneth J. Randolph, DC, Secretary / Treasurer, Member District 4
Gerald J. Collins, DC, Member District 6 / Preceptor Director
Jerry S. Kirby, DC, Member District 2
Gilles X. Beaumont, DC, Member District 1
Larry H. Heaton, DC, Member District 5
Ricardo Herring, DC, Minority Member
Allen Sanderson, Consumer Member

James S. Ward, Esquire, Board Attorney

ASBCE

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